

context of the annual defense authorization bill. That is where we have confronted and decided these issues historically.

And with that, I would reiterate my objection to the Senator from New York's request.

The PRESIDING OFFICER. Objection is heard.

Mrs. GILLIBRAND. Mr. President, two issues: First, the op-ed by Jeh Johnson was not in reference to my legislation. In fact, he conflated my legislation with recommendations from the IRC. He mentioned lawyers in Virginia having to make the decisions. That is not what my bill says. It has never said that, and it is not how it is organized. In fact, my bill is organized by services to adjudicate these cases, as they are doing today.

Right now, prosecutors prosecute these cases, and the decision making of whether to proceed to trial would be given to them in the first instance. If they decline to prosecute, it goes right back to the commander. So, for example, if there wasn't enough evidence to prosecute the case, it would go back to the commander, who could then use a special court-martial or he could use nonjudicial punishment for related or lesser offenses. That is typically what the commanders do in these cases.

So very little changes. But what does change is the perception of the victim who is asking for unbiased review by someone who is highly trained to do that review. It also gives assurance to defendants' rights that the person making the decision is unbiased and is highly and professionally trained.

Those changes change everything. It changes the perception that our military justice is blind, fair, and professional. And that is not the impression of servicemembers today. Both women and men and survivors of sexual assault do not believe that justice is possible for them, and Black and Brown servicemembers do not believe the justice system is fair to them either.

This solution makes sense, and I do not think that we should defer again our responsibility to one op-ed by one former SecDef. That is not our job, and that is not how we should be responding.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 1:45 p.m.

Thereupon, the Senate, at 1:15 p.m., recessed until 1:45 p.m. and reassembled when called to order by the Presiding Officer (Mr. KING).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Tien nomination?

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Michigan (Mr. PETERS) are necessarily absent.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Kansas (Mr. MORAN), and the Senator from South Dakota (Mr. THUNE.)

The result was announced—yeas 60, nays 34, as follows:

[Rollcall Vote No. 241 Ex.]

YEAS—60

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Blunt	Johnson	Rounds
Brown	Kaine	Sanders
Cantwell	Kelly	Schatz
Capito	King	Schumer
Cardin	Klobuchar	Scott (SC)
Carper	Leahy	Shaheen
Casey	Lujan	Sinema
Collins	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Van Hollen
Durbin	Murkowski	Warner
Feinstein	Murphy	Warnock
Fischer	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Hassan	Portman	Young

NAYS—34

Barrasso	Hagerty	Risch
Blackburn	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Tillis
Crapo	Lee	Toomey
Cruz	Lummis	Tuberville
Daines	Marshall	Wicker
Ernst	McConnell	
Grassley	Paul	

NOT VOTING—6

Booker	Cramer	Peters
Burr	Moran	Thune

The nomination was confirmed.

The PRESIDING OFFICER (Mr. VAN HOLLEN). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The Senator from Maryland.

MORNING BUSINESS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HELSINKI COMMISSION

Mr. CARDIN. Mr. President, I take this time as the Chair of the Commission on Security and Cooperation in Europe, better known as the Helsinki Commission, as we celebrate our 45th anniversary.

The Helsinki Commission is the vehicle for U.S. participation in the Organi-

zation for Security and Co-operation in Europe, representing 57 states that have come together under the OSCE, all the countries of Europe, all the countries of the former Soviet Union, including those located in Central Asia, the United States, and Canada.

Mr. President, this is a unique body in that it represents both the executive and legislative branches of government. The executive branch has representatives on the Helsinki Commission, and both the House and Senate have Senators and Representatives that serve on the Helsinki Commission.

I am very pleased to have as my co-leader Senator WICKER from Mississippi as the Republican leader in the Senate on the Helsinki Commission.

The Helsinki Commission has been responsible for elevating our moral dimension to U.S. foreign policy. Its principles point out very clearly that you cannot have security without dealing with good governance and human rights; you cannot have economic progress unless you have governance that respects the rights of all its citizens.

That is why I was so pleased when President Biden announced that his foreign policy would be value-based, that as we participate in our foreign policy challenges, it will always be wrapped in our values, and his recent trip to Europe underscored that important lesson. And then he issued, not 2 weeks ago, the statement that corruption is a core national security threat and that we have a responsibility to fight corruption in order to protect our national security.

I am so pleased of the accomplishments of the Helsinki Commission, particularly from the human rights and human dimension. I go back to my early days in the House of Representatives, when the Soviet Union still existed and the challenges of Soviet Jews trying to emigrate from the Soviet Union. It was the Helsinki Commission that was one of the leading voices to help deal with Soviet Jews.

I think about trafficking in persons, modern-day slavery, and the efforts that the United States did in leading that effort, including passing landmark legislation in trafficking in persons and establishing a rating system where every country in the world is rated on how well they are dealing with fighting trafficking. Now this has become the model, and so many countries have acted. It was the U.S. Helsinki Commission that led the effort for what Congress was able to pass and the international effort in order to fight trafficking in persons.

I think about the perpetrators of war crimes and crimes against humanity and genocide, and recognize that it was the Helsinki Commission that pushed to hold those who were responsible for these atrocities accountable, particularly as it related to the Balkan conflict.

Then I think about the landmark legislation that was passed in the Congress that deals with sanctions against

human rights violators, first the Magnitsky sanctions and then the Global Magnitsky sanctions. It came out of hearings from the Helsinki Commission and legislation that we authored. It is not only the standard here in the United States. It has been adopted as the standard in Europe, in Canada, and in other countries, to make it clear that human rights violators will not be able to hide their illicit funds in our banking system or visit our country.

Perhaps our strongest contribution is the oversight hearings that we hold. We also passed the Elie Wiesel Atrocities Prevention Act. But just last week we had a hearing in the Helsinki Commission on how we can prevent atrocities from occurring in the first place. So I am very proud of the accomplishments of the Commission.

Part of the responsibilities of every member state of the OSCE is that we have the right to challenge any state's compliance with the Helsinki Final Act Accords. So it is our responsibility to challenge when Russia violates those provisions or we see violations in Turkey—any member state you can challenge.

But we also have to do our own self-evaluation. As chairman of the Commission, I have been using that opportunity to question conduct in our own country when it does not match the responsibilities that we should have. We saw that in the past in regard to the torture issues in Guantanamo Bay.

My participation in the Helsinki Commission goes back to my early days in the House of Representatives and some of my proudest moments of representing our country on the international stage. Let me just give you a few examples.

In February 1991, I joined a fact-finding mission to Latvia, Lithuania, and Estonia. That is when the Soviet tanks were in Vilnius. That is when the Soviet Union was demonstrating oppression against the people of the Baltic States. It was a very sad moment of oppression, and we went there to stand up for the people of the region, to let them know that the United States never recognized the Soviet's occupation of the Baltic States, and that we stood with the people and their independence.

It was very interesting. We went from there to Moscow, and Mikhail Gorbachev didn't want to have anything to do with us. He wouldn't have a meeting with us, and he wouldn't acknowledge that we were there. But we had a meeting with Boris Yeltsin, who at that time was the chair of the parliament, and we got great visibility. And Yeltsin supported our efforts to condemn the Russian use of force.

I have been to Germany several times. My first trip on behalf of the Helsinki Commission was when it was a divided country, and we went to East Berlin. We were the voices for those oppressed people whose voices could not otherwise be heard, and we gave them hope that one day they would see freedom.

I then returned when we were literally taking down the Berlin Wall, and I joined in taking down part of the Berlin Wall. I have part of that as a prized possession in my home.

I have returned to Germany as a united country and see what a democratic Germany means and the work of our Commission to bring down the Iron Curtain. Germany is now a leading democratic state and a great ally of the United States.

I have been to Kiev, Ukraine, on several occasions. I was there during the Maidan protests, where the people demanded democracy. And then I had a chance to return and monitor the elections in Ukraine with Senator PORTMAN—again, a country that has been able to rid itself of the oppression of the Soviet Union.

I have been very active in the Helsinki Commission in regards to the Parliamentary Assembly. I chaired one of their three standing committees. I had a chance to become vice president at the Parliamentary Assembly.

Today, I acknowledge Senator WICKER, who is vice president. It points out the bipartisan nature of the Helsinki Commission and our work on the international platform.

TRIBUTE TO ERIKA SCHLAGER

Mr. CARDIN. Mr. President, we could not have accomplished any of these achievements without an incredible dedicated staff to the mission of the Helsinki Commission, and I want to just acknowledge one individual who recently announced that she is retiring, Erika Schlager, after 34 years of service to the Commission and to the global community.

Erika received her bachelor's degree from the University of North Carolina in Greensboro, where she graduated magna cum laude and was elected to Phi Beta Kappa. She earned her A.M. degree from Harvard University in Soviet Union studies and her juris doctor degree with honors from the George Washington University Law School. She studied at Warsaw University as a Fulbright fellow and received a diploma from the International Institute of Human Rights in Strasbourg, France. Quite a record.

She used that academic preparation to make a difference in the world—and what a difference she made. Erika has been an unfailing professional in her dedication to doing whatever is necessary to ensure that the Commission meets its mandate and defends human rights abroad. Her deep expertise, which she has honed over decades of work, is renowned both among policy professionals in the United States and in the countries of Central Europe that she followed for the Commission.

Erika is one of our Nation's top experts on Europe's most vulnerable communities. She is a leading voice on Roma rights—Europe's largest minority, with significant populations also in the United States.

I have joined Erika in the crusade to speak up for the Roma population, a group that has been denied citizenship in so much of Europe. What a difference she has made in their lives.

Erika has worked with Members of Congress, the Department of State and the OSCE to address issues ranging from the enslavement and sterilization of Roma to a permanent memorial in Berlin dedicated to the Sinti and Roma victims of the Nazi regime, to annual recognition of International Roma Day.

She has brought to my attention the candidacy of Ethel Brooks to be the first Roma board member of the U.S. Holocaust Memorial Museum. I know that Erika will continue to bring Roma perspective and history on the Holocaust to further the tolerance, education, and human rights work of the museum.

I have the honor of representing the Senate on the Holocaust Memorial Museum board, and I can tell you that Erika is so deeply respected by the professionals at that museum for the work she has done in furthering the goal of that institution to prevent atrocities against any groups of people.

Erika has long been one of my top advisers on the Holocaust restitution and Europe's Jewish community. She has worked closely with me over the years to raise concerns about the rise of Holocaust revisionism in countries like Hungary and Poland; to foster implementation of the Terezin Declaration on Holocaust Era Assets measures to right the economic wrongs that accompanied the Holocaust; and to hold accountable a French railway that transported thousands of Holocaust victims to their deaths. She worked on all of these issues and made significant progress.

Erika has been instrumental in ensuring that the Helsinki Commission works to hold the United States accountable for our own human rights record, examining U.S. policies and conduct concerning Guantanamo Bay detention camps and U.S. policy regarding torture.

Erika's counsel greatly assisted me in my role as the Parliamentary Assembly of the OSCE's Special Representative on Anti-Semitism, Racism, and Intolerance, where I was focused on human rights and justice here at home and across the expanse of the 57 participating states of the OSCE.

From the plight of African Americans and Muslims to migrants and refugees, Erika has been integral to the Helsinki Commission's mandate of upholding the myriad of human rights commitments defined in the Helsinki Final Act and subsequent OSCE agreements.

In addition to her many professional milestones and achievements, Erika retires from the Commission having left a deeply personal mark on those she worked with, from diplomats and civil servants to the staff of the Helsinki Commission. She is a natural teacher